

## CLAIM AMENDMENTS

### Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

### Listing of Claims:

1. (Cancelled)
2. (Cancelled)
3. (Currently Amended) A pharmaceutical composition comprising  $10^4$  to  $10^{10}$  killed whole cells of a bacterium selected from the genera *Rhodococcus*, *Gordonia*, *Dietzia*, *Tsukamurella* and *Nocardioideis* and optionally a pharmaceutically acceptable carrier, diluent or excipient, which pharmaceutical composition in use modifies a cellular immune response.
- Claims 4-7. (Cancelled)
8. (Currently Amended) An immune modulator composition or a pharmaceutical composition according to ~~any one of claims 1 to~~ claim 3 for use as a medicament.
9. (Currently Amended) An immune modulator composition or a pharmaceutical composition according to ~~any one of claims 1 to~~ claim 3 for use in or as a vaccine.
10. (Original) An immune modulator composition according to claim 9 wherein said vaccine is a prophylactic vaccine or a therapeutic vaccine.
11. (Cancelled)
12. (Currently Amended) An immune modulator composition and/or a pharmaceutical composition according to ~~any one of claims 1 to~~ claim 3 wherein said composition further comprises an antigen or antigenic determinant.

13. **(Original)** An immune modulator composition and/or a pharmaceutical composition according to claim 12 wherein said antigen or antigenic determinant is an antigen or antigenic determinant selected from one or more of a BCG (bacillus of Calmette and Guérin) vaccine, a diphtheria toxoid vaccine, a diphtheria/tetanus/pertussis vaccine, a pertussis vaccine, the tetanus toxoid vaccine, the measles vaccine, the mumps vaccine, the rubella vaccine, the OPV (oral poliomyelitis vaccine) and *Mycobacterium vaccae*, or part thereof.
14. **(Previously Presented)** An immune modulator composition and/or pharmaceutical composition according to claim 12 wherein said composition comprises two or more such antigens or antigenic determinants.
15. **(Currently Amended)** An immune modulator composition and/or pharmaceutical composition ~~according to any one of claims 1- claim~~ 3 wherein said bacterium is selected from the genus *Rhodococcus*.
16. **(Original)** An immune modulator composition and/or pharmaceutical composition according to claim 15 wherein said bacterium is one or more of the following *Rhodococcus ruber*, *Rhodococcus rhodococcus*, *Rhodococcus rhodnii*, *Rhodococcus coprophilus*, *Rhodococcus opacus* and *Rhodococcus erythropolis*.
17. **(Currently Amended)** An immune modulator composition and/or pharmaceutical composition ~~according to any one of claims 1- claim~~ 3 wherein said bacterium is killed.
18. **(Currently Amended)** A method for treating or preventing a condition in a subject comprising administering an effective amount of a pharmaceutical composition comprising  $10^4$  to  $10^{10}$  killed whole cells of a bacterium selected from the genera *Rhodococcus*, *Gordonia*, *Dietzia*, *Tsukamurella* and *Nocardioidea* and a pharmaceutically acceptable carrier, diluent or excipient, which pharmaceutical composition in use modifies a cellular immune response and/or immune modulator composition comprising  $10^4$  to  $10^{10}$  killed whole cells of a bacterium selected

from the genera *Rhodococcus*, *Gordonia*, *Dietzia*, *Tsukamurella* and *Nocardioide*s, wherein said immune modulator composition in use modifies a cellular immune response according to any one of claims 1-3 to a subject wherein said composition modulates a cellular immune response.

19. **(Currently Amended)** A method for immunizing a subject comprising administering a pharmaceutical composition comprising  $10^4$  to  $10^{10}$  killed whole cells of a bacterium selected from the genera *Rhodococcus*, *Gordonia*, *Dietzia*, *Tsukamurella* and *Nocardioide*s and a pharmaceutically acceptable carrier, diluent or excipient, which pharmaceutical composition in use modifies a cellular immune response and/or immune modulator composition comprising  $10^4$  to  $10^{10}$  killed whole cells of a bacterium selected from the genera *Rhodococcus*, *Gordonia*, *Dietzia*, *Tsukamurella* and *Nocardioide*s, wherein said immune modulator composition in use modifies a cellular immune response according to any one of claim 1-3.

20. **(Previously Presented)** A method according to claim 18 wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with an antigen or antigenic determinant.

21. **(Original)** A method according to claim 20 wherein the antigen or antigenic determinant is an antigen or antigenic determinant selected from one or more of a BCG (bacillus of Calmette and Guérin) vaccine, a diphtheria toxoid vaccine, a diphtheria/tetanus/pertussis vaccine, a pertussis vaccine, a tetanus toxoid vaccine, a measles vaccine, a mumps vaccine, a rubella vaccine, a OPV (oral poliomyelitis vaccine) and *Mycobacterium vaccae*, or part thereof.

22. **(Previously Presented)** A method according to claim 20 wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with two or more such antigens or antigenic determinants.

23. **(Previously Presented)** A method according to claim 19 wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with an antigen or antigenic determinant.

24. **(Previously Presented)** A method according to claim 23 wherein the antigen or antigenic determinant is an antigen or antigenic determinant selected from one or more of a BCG (bacillus of Calmette and Guérin) vaccine, a diphtheria toxoid vaccine, a diphtheria/tetanus/pertussis vaccine, a pertussis vaccine, a tetanus toxoid vaccine, a measles vaccine, a mumps vaccine, a rubella vaccine, a OPV (oral poliomyelitis vaccine) and *Mycobacterium vaccae*, or part thereof.

25. **(Previously Presented)** A method according to claim 23 wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with two or more such antigens or antigenic determinants.

26. **(Previously Presented)** An immune modulator composition and/or pharmaceutical composition according to claim 13 wherein said composition comprises two or more such antigens or antigenic determinants.